

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TRACY LEE HOLMES SR.,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

**8:21CV160**

**ORDER**

Petitioner filed a Petition for Writ of Habeas Corpus (Filing 1) and a Motion for Leave to Proceed in Forma Pauperis (Filing 2). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. 28 U.S.C. § 1914(a). However, after reviewing Petitioner's motion, leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* 28 U.S.C. § 1915(a)(1).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing 2) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

Dated this 21st day of April, 2021.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge